

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>SAMUEL HOUSTON</b> <b>Plaintiff</b>	)	
	)	
	)	
<b>v.</b>	)	<b>CASE NUMBER 1:06-cv-243-MEF</b>
	)	
<b>ARMY FLEET SERVICES, L.L.C.,</b> <b>Defendant</b>	)	<b>(JURY DEMAND)</b>
	)	

**REPORT OF PARTIES' RULE 26(f) PLANNING MEETING**

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held by telephone on April 26, 2006, and was attended by:

- A. Jimmy Jacobs for plaintiff
- B. M. Jefferson Starling, III for the defendant

2. **Pre-discovery Disclosures.** The parties will exchange the information required by Fed.R.Civ.P. 26(a) (1) within 21 days of entry of the Court's Scheduling Order.

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

Discovery will be needed on the following subjects:

- A. Defendant's policies, procedures and practices related to the claims and defenses of the case; and Plaintiff's knowledge of Defendant's policies, procedures and practices.
- B. Experience, training and performance of Plaintiff's supervisors and similarly-situated employees
- C. Plaintiff's experience, training and performance of his job duties.

- D. Factual bases of the allegations of the Plaintiff's claims and damages.
- E. Factual bases of the allegations of the Defendant's defenses and/or denials.
- E. Knowledge of persons believed to have discoverable information relevant to the claims and/or defenses asserted by the parties.
- F. Information related to liability, affirmative defenses, and injury claims.

The plaintiff proposes that all discovery will be commenced in time to be completed two weeks before the pretrial conference. The defendant proposes that all discovery be commenced in time to be completed forty-five days following the dispositive motion deadline.

A maximum of 40 interrogatories may be submitted by each party to any other party. Responses are due 30 days after service.

A maximum of 30 requests for admission may be submitted by each party to any other party. Responses are due 30 days after service.

The plaintiff does not agree to any additional limitation on requests for production of documents and other things beyond those set out in FRCP 34. The defendant proposes that the parties be limited to 30 requests for production, due within 30 days of service.

A maximum of 10 depositions each may be conducted by plaintiff and by defendant. Each deposition of a non-party witness will be limited to maximum of four hours. Depositions of parties will be limited to seven (7) hours within one (1) day unless extended by agreement of parties.

Reports from retained experts under Rule 26(a) (2) will be due from plaintiff by December 15, 2006, and from defendant by January 30, 2007. The parties agree to

reasonable extension of discovery relative to any previously undisclosed matters asserted in the expert reports.

Supplementations under Rule 26(e) of automatic disclosures and/or discovery responses are due as provided in the rule.

**4. Other items.** The parties do not request a conference with the Court before entry of the Scheduling Order.

The parties request a pretrial conference in June 2007.

Plaintiff should be allowed until August 30, 2006 to join additional parties and to amend the pleadings.

Defendant should be allowed until September 30, 2006 to join additional parties and to amend the pleadings.

All potentially dispositive motions should be filed by 90 days before the pretrial conference.

Settlement cannot be evaluated prior to submission of discovery.

Final lists of witnesses and exhibits under Rule 26(a) (3) should be due from plaintiff and defendant by thirty days before trial.

Parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a) (3).

The case should be ready for trial by July 30, 2007, and at this time is expected to take approximately 3 days.

Respectfully submitted this 26<sup>th</sup> day of April 2006.

---

**/S/ JIMMY JACOBS**

JIMMY JACOBS (JAC051)

Attorney for Plaintiff

OF COUNSEL:

JIMMY JACOBS, L.L.C.  
143 Eastern Boulevard  
Montgomery, Alabama 36117  
Telephone: (334) 215-1788  
Facsimile: (334) 215-1198

**/S/M. Jefferson Starling, III**

M. Jefferson Starling, III (STA062)  
Attorney for Defendant

OF COUNSEL:

M. Jefferson Starling, III (STA062)  
Brentley T. Cobb (COB020)  
BALCH & BINGHAM LLP  
Post Office Box 306  
Birmingham, AL 35201-0306  
Telephone: (205) 251-8100  
Facsimile: (205) 226-8798